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Customer No.: 29311

Docket No.: 02427/100G772-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Erich HOFFMANN

Serial No.: 09/844,517

Group Art Unit: 1648

Confirmation No.: 9063

Examiner: Myron G. Hill

Filed: April 27, 2001

For: DNA TRANSFECTION SYSTEM FOR THE GENERATION OF
INFECTIOUS INFLUENZA VIRUS

AMENDMENT AND RESPONSE TO THE FINAL OFFICE ACTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed on May 5, 2004, please consider the following amendments and remarks. Amendments to the claims are reflected in the listing of claims which begins on page 3 of this paper. Remarks begin on page 9 of this paper. Submitted simultaneously herewith is a Declaration of Dr. Robert G. Webster under 37 C.F.R. § 1.132

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(Exhibit A), Declaration of Dr. Richard J. Webby under 37 C.F.R. § 1.132 (Exhibit B), a Notice of Appeal and a Petition for THREE (3) MONTHS Extension of Time with the required fees.